

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

DENNY GAY #87093-020

PETITIONER

VS.

CIVIL ACTION NO. 5:06CV105DCB-MTP

CONSTANCE REESE, Warden

RESPONDENT

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that this matter should be dismissed with prejudice as to the jurisdictional issue and without prejudice as to all other issues. Pack v. Yusuff, 218 F.3d 448, 454-455 (5th Cir. 2000).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above captioned cause be, and the same is hereby, dismissed with prejudice as to the jurisdictional issue and without prejudice as to all other issues. Pack v. Yusuff, 218 F.3d 448, 445-455 (5th Cir. 2000).

SO ORDERED this the 6th day of March, 2009.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE